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[WHOLE NO 103]

Hec olim meminisse juvabit.—VIRGIL.

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Law Case—British Licenses.

Corrected copy of the judgment of the hon. JOSEPH STORR, one of the judges of the Supreme Court of the United States—First circuit, Massachusetts District, in the case of the Julia and cargo, Luce, master; an American vessel sailing under British license:

JUDGMENT.

The Julia and cargo, were captured as prize by the United States frigate Chesapeake, commanded by captain Evans, on the 31st December 1812. From the preparatory evidence and documents, it appears that she sailed from Baltimore on or about the 15th of October, 1812, bound on a voyage to Lisbon, with a cargo of corn, bread and flour; and the capture took place on the return voyage to the United States. The vessel and cargo were, documented as American, and as owned by the claimants, who are American citizens. The vessel had on board sundry documents of protection from British agents, which were delivered up to the captors, and, together with the other ship's papers, were put on board of the prize, in the custody of the prize master. And these documents were the unquestionable cause of the capture. It appears that the American master and crew were left on board of the prize, and during the subsequent voyage to the United States these British documents were taken from the custody of the prize master surreptitiously, and without his knowledge as to the time or manner. He alleges expressly that they were stolen; and this allegation seems admitted by the master in a supplementary affidavit, who, however denies any knowledge or connection in the transaction. The prize master took exact copies of these documents for the purpose of sending them to the secretary of the navy, which copies have been produced in court and verified by his affidavit—all the other original documents have been faithfully produced.

Upon the examination of the master upon the standing interrogatories on the 18th of February, 1813, although there are several interrogatories, and particularly the 16th and 27th, which point directly to the subject matter, he did not state the existence of any British document, passport, safeguard or protection; and what is quite as remarkable, he expressly declared that he knew not upon what pretence nor for what reason the vessel and cargo were captured. It was not until after the time assigned for the trial, and, on the 8th of March 1813, that the master by a supplementary affidavit, (which was admitted through great indulgence, and contrary to the general practice of the prize courts) attempted to explain his omission and to vindicate his misconduct. The apology is equally weak and futile. At the time when these examinations were taken the interrogatories had been drawn up with care and deliberation. The commissioners were present to explain to the understanding of every man, intent on truth, the meaning of any question which might appear obscure. The master was a part owner of the vessel and cargo, and the regular depository of all the papers connected with the voyage. It is utterly incredible that he should not recollect on his

examination the existence of these British documents. They were put on board for the special safeguard and security of the vessel and cargo. Indeed, independent of them, the risk of capture would have been imminent. A master can never be admitted to be heard in a prize court to aver his ignorance or forgetfulness of the documents of his ship. It is his duty to know what they are, and he cannot be believed ignorant of their contents without overthrowing all the presumptions which govern in prize proceedings. Looking to the whole conduct of the master, it seems to be irreconcilable with the rules of morality and fair dealing, and I have great difficulty in exempting him from the imputation of being guilty of a willful suppression of the truth.

At the hearing, a preliminary objection was taken to the introduction of the copies of the British documents upon the ground that the originals as the best evidence ought to be produced. The rule undoubtedly applies when the originals are in existence and in the possession or control of the party. The extraordinary disappearance of these important papers under the circumstances of this case I can have little doubt was occasioned by a fraudulent subtraction. There is no reason to impute this subtraction to the prize master. The documents were to him a very important protection. They constituted the avowed reason of the capture, as the mate and some of the seamen testify. It is true that the master has declared that he knew not the pretence of capture—but it can hardly be believed that he could be ignorant of a fact which so materially affected his interest. I feel myself bound to make very unfavorable inferences against him; and if in odium spoliatoris, I impute the subtraction to some person on board connected with the voyage, and in the confidence of the master, it is measuring out no injustice to one who appears to deem misstatements and concealments no violent breach of good faith.—I shall therefore admit the copies verified as they are, as good evidence in these proceedings—and I will add, that if a single material fact in favour of the claimants had depended upon the supplementary affidavit of the master, I should have felt myself compelled to repudiate it, in order to vindicate the regularity of prize proceedings, and suppress the efforts of fraud to derive benefit from afterthoughts and contrivances. These remarks are not made without regret, but public duty requires that manifest aberrations from moral propriety should not receive shelter in this court.

Having disposed of this preliminary objection, I now proceed to consider the two questions which have been so ably discussed in this case. 1. Whether the use of an enemy's license or protection on a voyage to a neutral country in alliance with the enemy, be illegal so as to affect the property with confiscation. 2. If not, whether the terms of this present license distinguish this case unfavourably from the general principle.

The British documents which were on board, and which, for conciseness, I have termed a license, are as follows:—

[The copy of the judgment furnished us has not these documents inserted, as we should have desired. We understand, however, that all the licenses are nearly

the same—copies of them may be seen in vol. 3, page 119, &c. one of Allen's licenses, in vol. 4, p. 26.—[En.]

In approaching the more general question, which has been raised in this case, I am free to acknowledge that I feel no inconsiderable diffidence, both from the importance of the question, and the different opinions which eminent jurists have entertained, respecting it. Nor am I insensible also that it has entered some what into political discussions, and awakened the applause and zeal of some, and the denunciations of others, considered merely as a subject of national policy, and not of legal investigation. It has now become my duty to examine it, and whatever may be my opinion, I feel a consolation that it is in the power of a higher tribunal, to revise my errors, and award ample justice to the parties.

At the threshold of this inquiry I lay it down as a fundamental proposition, that, strictly speaking, in war all intercourse between the subjects and citizens of the belligerent countries, is illegal, unless sanctioned by the authority of the government, or in the exercise of the rights of humanity—I am aware that the proposition is usually laid down in more restricted terms by elementary writers, and is confined to commercial intercourse—Bynkershoek says "ex natura belli commercia inter hostes cessare non est dubitandum. Quamvis nulla specialis fit commercium prohibitio ipso tamen jure belli commercia ipse vetita, ipse in dictionibus bellorum satis declarant." And yet it seems not difficult to perceive that his reasoning extends to every species of intercourse. Valin in his commentary on the French ordinance, speaking of the reason of requiring the name and domicile of the assured in a policy, says "est encore de connoître au temp de guerre si malgré l'interdiction de commerce qui, emporte toujours toute declaration de guerre les sujets du Roi ne font point commerce avec les ennemis de l'Etat ou avec des amis ou allies, par l'interposition desquels on fait passer aux ennemis des munitions de guerre et de bouche, ou d'autres effets prohibes; car tout cela étant defendu comme prejudiciable a l'Etat, serait sujet a confiscation, et a etre declare de bonne prise. Lib. 1. tit. 6. art. 3. p. 31." In another place adverting to a case of neutral, allied and French property, on board an enemy ship, &c. he declares it subject to confiscation, because "C'est favoriser le commerce de l'ennemi et faciliter le transport de ses denrees et marchandises, ce qui ne peut convenir au trait d'alliance ou de neutralite, encore moins aux sujets du roi, auxquels toute communication avec l'ennemi est etroitement defendu, sur peine meme de la vie. Lib. 3. tit. 9. art. 7. p. 253 and Valin.—Traite des Prises. Chap. 5. sec. 5. p. 62."

From this last expression it seems clear that Valin did not understand the interdiction, as limited to mere commercial intercourse. In the elaborate judgment of Sir W. Scott, in the *Hoop*. 1. Rob. 196.—the illegality of commercial intercourse is fully established as a doctrine of national law—but it does not appear that the case before him, required a more extended examination of the subject. The black book of the admiralty, contains an article which deems every intercourse with the public enemy, an indictable offence. This article, which is supposed to be as old as the reign of Edward III. directs the grand inquests, "soit enquis de tous cenex que entrecourent, vendent ou achatent avec aucuns des ennemis de notre Seigneur le Roy sans license speciale du Roy ou de son admiral."

But independent of all authority it would seem a necessary result of a state of war to suspend all negotiations and intercourse between the subjects of the belligerent nations. By the war, every subject

is placed in hostility to the adverse party. He is bound by every effort of his own to assist his own government, and to counteract the measures of its enemy. Every aid therefore by personal communication, or by other intercourse which shall take off the pressure of the war or foster the resources or increase the comforts of the public enemy, is strictly inhibited. No contract is considered as valid between enemies at least so far as to give them a remedy in the courts of either government, and they have in the language of the civil law, no ability to sustain a persona standi in judicio. The ground upon which a trading with the enemy is prohibited, is not the criminal intentions of the parties engaged in it, or the direct and immediate injury to the state.—

The principle is extracted from a more enlarged policy, which looks to the general interests of the nations, which may be sacrificed under the temptation of unlimited intercourse, or sold by the cupidity of corrupted avarice. In the language of Sir W. Scott, I would ask "who can be insensible to the consequences that might follow if every person in time of war had a right to carry on a commercial intercourse with the enemy, and under color of that had the means of carrying on any other species of intercourse he might think fit? The inconvenience to the public might be extreme; and where is the inconvenience on the other side that the merchant should be compelled in such a situation of the two countries, to carry on his trade between them if necessary under the eye and control of the government, charged with the care of the public safety." Nor, is there any difference between a direct intercourse between the enemy countries, and an intercourse through the medium of a neutral port. The latter is as strictly prohibited as the former. The *Jonge Pietre*. 4 Rob. 79.

It is argued that the cases of trading with the enemy are not applicable; because there is no evidence of actual commerce and an irresistible presumption arises from the nature of the voyage to a neutral port that no such trade is intended. If I am right in the position that all intercourse which humanity or necessity does not require is prohibited, it will not be very material to decide whether there be a technical commerce or not. But is it clear beyond all doubt that no inference can arise of an actual commerce? The license is issued by the agents or the British government and I must presume under its authority. It is sold (as it is stated) in the market, and if it be a valuable acquisition the price must be proportionate. If such licenses be an article of sale I beg to know in what respect they can be distinguished from the sale of merchandize? If purchased directly of the British government would it not be a traffic with an enemy? If purchased indirectly can it change the nature of the transaction? It has been said that if purchased of a neutral, the trade in licenses is no more illegal than the purchase of goods of the enemy fabric bona fide conveyed to neutrals. Perhaps this may, under circumstances, be correct. But I do not understand that the purchase of goods of enemy manufacture and avowedly belonging to an enemy is legalized by the mere fact of the sale being made in a neutral port. The goods must have become incorporated into the general stock of neutral trade; before a belligerent can lawfully become the purchaser. If such licenses be a legitimate article of sale, will they not enable the British government to raise a revenue from our citizens and thereby add to their resources of war? Admit, however, that they are not so sold, but are a measure of policy adopted by Great Britain to further her own interests and ensure a constant supply of the necessities of life either in or through

neutral countries. Can it be asserted that an American citizen is wholly blameless who enters into stipulations and engagements to effect these purposes? Is not the enemy thereby relieved from the pressure of the war, and enabled to wage it more successfully against other branches of the same commerce, not protected by this indulgence? It is said, that the case of a personal license is not distinguishable from a general order of council, authorising and protecting all trade to a neutral country. In my judgment, they are very distinguishable. The first presupposes a personal communication with the enemy, and an avowed intention of furthering his objects to the exclusion of the general trade by other merchants to the same country. It has a direct tendency to prevent such general trade, and relieves the enemy from the necessity of resorting to a general order of protection. It contaminates the commercial enterprises of the favored individual with purposes not reconcilable with the general policy of his country; exposes him to extraordinary temptations to succour the enemy by intelligence, and separates him from the general character of his country, by clothing him with all the effective interests of a neutral. Now, these are some of the leading principles upon which a trade with the enemy has been adjudged illegal by the law of nations.—On the other hand, a general order opens the whole trade of the neutral country to every merchant. It presupposes no incorporation in enemy interests.—It enables the whole mercantile enterprise of the country to engage upon equal terms in the traffic, and it separates no individual from the general national character. It relaxes the rigor of war, not only in that particular trade, but collaterally opens a path to other commerce. There is all the difference between the cases that there is between an active personal co-operation, in the measures of the enemy, and the merely accidental aid afforded by the pursuit of a fair and legitimate commerce.

In the purchase or gratuity of a license for trade, there is an implied agreement that the party shall not employ it to the injury of the grantor—that he shall conduct himself in a perfectly neutral manner, and avoid every hostile conduct. I say there is an implied agreement to this effect in the very terms and nature of the engagement. I am warranted in declaring this from the uniform construction put by Great Britain on the conduct of her own subjects acting under licenses. Can an American citizen be permitted in this manner to carve out for himself a neutrality on the ocean when his country is at war?—Can he justify himself in refusing to aid his countrymen who have fallen into the hands of the enemy on the ocean, or decline their rescue? Can he withdraw his personal services, when the necessities of the nation require them? Can an engagement be legal which imposes upon him the temptation or necessity of deeming his personal interest at variance with the legitimate objects of the government? I confess that I am slow to believe, that the principles of national law, which formerly considered the lives and properties of all enemies as liable to the arbitrary disposal of their adversary, are so far relaxed, that a part of the people may claim to be at peace, while the residue are involved in the desolations of war. Before I shall believe the doctrine, it must be taught me by the highest tribunal of the nation, in whose superior wisdom and sagacity I shall most cheerfully repose.

It has been said, that no case of condemnation can be found on account of the use of an enemy license. Admitting the fact, I am not disposed to yield to the inference, that it is therefore lawful. It is one of the many novel questions which may be

proposed to arise out of the extraordinary state of the world. The silence of adjudged cases proves nothing either way. It may well admit of opposite interpretations.

The case of the *Vrow Elizabeth* 5 Rob. 2, has been cited by the captors in support of the more general doctrine. It was a case where the ship had the *flag and pass and documents*, of an enemy's ship; and the court held that the owner was bound by the assumed character. There is no similarity in the case before the court; the ship and cargo were documented as American, and not as British property. As little will the *Clarissa* or (5 Rob. 4.) cited on the other side apply. It was at most but a license given by the Dutch government, allowing a *neutral* to trade within its own colony. In all other respects the ship and property were avowedly neutral—and unless so far as the English doctrines as to the colonial trade could apply, there was nothing illegal or improper in waving any municipal regulations of colonial monopoly in favor of a neutral. There was nothing which compromised the allegiance or touched the interests of the neutral country. If, however, this license had conferred on the neutral the special privileges of a Dutch merchant, or had facilitated the Dutch policy in warding off the pressure of the war, it would probably have received a very different determination. See the *Vreede Scholtyz*, 5 Rob. 5. note (a.) *The Remdout*, 4 Rob. 121. We all know that there are many acts which inflict upon neutrals the penalty of confiscation, from the subservency, which they are supposed to in late, to enemy interests—the carrying of enemy despatches—the transportation of military persons, and the adopting of the coasting trade of the enemy. The ground of these decisions is the voluntary interposition of the party to further the views and interests of one belligerent at the expense of the other—and I cannot doubt that the *Clarissa* would have shared the general fate but from some circumstance of peculiar exemption.

By the prize code of Lewis 14th (which I quote the more readily, because it is in general a compilation of prize law, as recognized among civilized nations,) it is a sufficient ground of condemnation, that a vessel bears commissions from two different states.—Valin (*Traite des Prises* 53) says, "A l'égard du vaisseau on se trouveroit des commissions de deux differens princes ou etats, il est également juste qu'il soit declare de bonne prise, soit parce qu'il ne peut avoir pris ces commissions que dans un esprit de fraude et de surprise, furent elles toutes deux de Princes amis du neutre; soit parce qu'il ne peut arborer le pavillon de l'un en consequence de sa commission, sans l'ire injure a l'autre. Ceci en reste regarde les Français, comme les étrangers." In what consists the substantive difference, between navigating under the commissions of our own and also of another sovereign, and navigating under the protection of the passport of such sovereign which confer or compel a neutral character? Valin in another place, "(Sur l'ordnance. Lib. 2. tit. 9. art. 3. p. 241.) declares, si sur un navire Français il y a une commission d'une prince étranger avec celle de France, il sera de bonne prise quoiqu'il n'ait abore que le pavillon Français." It is true that he just before observes "que ce circonstance de deux congés ou passeports ou de deux commissions, dont l'un est de France et l'autre d'un pays ennemi ne suffit pas seule pour faire declarer le navire ennemi de bonne prise, et que cela doit dependre des circonstances capables de faire decouvrir sa veritable destination." But Valin is referring to the case of an *enemy ship* having a passport of trade from the sovereign of France—I infer from the lan-

guage of Valin, that a French ship sailing under the passport *cargo* or license of its enemy, without the authority of its own sovereign, would have been lawful prize.

This leads me to another consideration, and that is, that the existence and employment of such a license, affords a strong presumption of concealed enemy interests, or at least of ultimate destination for enemy use.—It is inconceivable, that any government should allow its protection to an enemy trade, merely out of favor to a neutral nation—or to an ally, or to its enemy—Its own particular and special interests will govern its policy, and the quid pro quo must materially enter into every such relaxation of belligerent rights.—It is therefore a fair inference, either that its subjects partake of the trade under cover, or that the property, or some portion of the profits finds its way into the channel of the public interests.

It has been argued that the use of false or simulated papers, is allowable in war as a stratagem to deceive the enemy, and elude his vigilance. However this may be, it certainly cannot authorize the use of real papers of a hostile character to carry into effect the avowed purpose of the enemy. We may be allowed to deceive our enemy, but we can never be allowed to set up as such a deception a concert in his own measures for the very purposes he has prohibited.

An allusion has been made to the passports or safe conducts granted in former times to the fishing vessels of enemies, and it has been argued that such passports or safe conducts have never been supposed to induce the penalty of confiscation. This will at once be conceded as to the belligerent nation who granted these indulgences. But as to the other nation where such passports were not guaranteed by treaty or mutual pact, I have no authority to lead me to an accurate decision. The French ordinance of 1543, authorized the admiral to make fishing truces with the enemy, and where no such truces were made, to deliver to the subjects of the enemy safe conducts for fishing upon the same stipulations as they should be delivered to French subjects by the enemy. This, therefore, was an authority to be exercised only in cases of reciprocity, and it seems to have been abolished from the manifest inconveniences which attended the practice. Valin, sur ord. lib. 1, p. 689, 690. I do not think that any argument in favor of the validity of the present licence (unrecognized as it is by our government) can be drawn from these ancient examples as to fisheries.

It has been argued that the voyage was lawful to a neutral port and the mere use of a license cannot cover a lawful voyage with the taint of illegality. This, however, is assuming the very point in controversy. It is not universally true that a destination to a neutral port gives a bona fide character to the voyage. If the property be ultimately destined for an enemy port, or an enemy use, it is clear that the interposition of a neutral port will not save it from condemnation.—The *Jonge Pietre*, 4 Rob. 79. Suppose in the present case the vessel and cargo had been destined to Lisbon for the express use of the British fleet there, could there be a doubt that it would have been a direct trade with the enemy? Whether the voyage therefore be legal or not depends not merely upon the destination but the ultimate application of the property or the ascertained intentions of the party. A contract to carry provisions to St. Bartholomews, for the ultimate supply of the British West-India islands, would be just as much an infringement of the law of war, as a contract for a direct transportation.

On the whole, I adopt, as a salutary maxim of war,

the doctrine of Brynkershock, *retatur quoquo modo hostium utilitati considerare*. It is unlawful in any manner to lend assistance to the enemy, by attaching ourselves to his policy, sailing under his protection, facilitating his supplies, and separating ourselves from the common character of our country.

I am aware that the opinion which I have formed, as to the general nature of licenses, is encountered by the decisions of learned judges, for whom I entertain every possible respect. This circumstance alone, independent of the novelty and importance of the question, would awaken in my own mind an unusual hesitation as to the correctness of my own opinion. But after much reflection upon the subject, I have not been able to find sufficient grounds to yield it; and my duty requires, that whatsoever may be its imperfections, my own judgment should be pronounced to the parties.

I am glad, however, to be relieved from the painful necessity of deciding the more general question by the peculiar terms of the present license, which I consider as affording irrefragable proof of an illicit intercourse with the enemy, and a direct contract to transport the cargo for the use of the British armies in Spain and Portugal. The very preamble to the license of Admiral Sawyer shows this in a most explicit manner, and discloses facts which it is no harshness to declare are not very honorable to the principles or the character of the parties.

It has been attempted to distinguish the present claimants from Mr. Elwell, to whom the original license was granted. It could hardly have been expected that such an attempt would be successful. The assignees cannot place their derivative title upon a better footing than the original party. They must be considered as entering into the views and contracting to effectuate the intentions of the latter; and at all events the illegality of the employment of the license attaches indissolubly to their conduct. If it were material, however, it might deserve consideration how far an actual assignment is shown in the case. It rests on the affidavit of one of the claimants and on the mere face of papers which carry no very decisive character, and are quite reconcilable with concealed interests in other persons as the records of prize courts abundantly show.—However, I only glance at this subject as it in no degree enters into the ingredients of my judgment.

A very bold proposition was at one time advanced in the argument by the claimant's counsel, that if this cargo had been actually destined to Portugal for the use of the allied armies of Great Britain and Portugal—or even for the use of the British army, it would not be an offence against the laws of war. In the sequel, if I rightly understand this proposition, in this alarming extent, was not contended for—and certainly it is utterly untenable upon the principles of national law. But it was insisted on that the British armies in Portugal and Spain were to be considered as incorporated into the armies of those kingdoms and as not holding the British character. If I could so far forget the public facts, of which sitting in a prize court I am bound to take notice, there is sufficient in the papers before me to prove the contrary of this suggestion. In Admiral Sawyer's license and Mr. Allen's certificate, they are expressly called the *allied armies*; thereby plainly admitting a separate character and organization—and so in point of fact we all know it to be—if, indeed, the British character be not predominant throughout these countries. I reject the distinction, therefore, as utterly inapplicable in point of fact.

It has been further argued that if the conduct be illegal, it is but a personal misdemeanor in no degree affecting the vessel and cargo; and at all events

that the illegality was extinguished by the termination of the outward voyage. The principles of law offered no countenance to either part of the proposition. If the property be engaged in an illegal traffic with the enemy, or even in an attempt to trade, it is liable to confiscation as well on the return as on the outward voyage—and it may be assumed as a proposition liable to few, if any exceptions, that the property which is rendered auxiliary or subservient to enemy interests becomes tainted with forfeiture.

I cannot but remark that the license in this case, issued within our own territory by an agent of the British government, carries with it a peculiarly obnoxious character. This circumstance which is founded on an assumption of consular authority, that ought to have ceased with the war, affords the strongest evidence of improper intercourse. The public dangers to which it must unavoidably lead by fostering interests within the bosom of the country against the measures of the government and the breach of faith which it imports in a public functionary receiving the protection of the government, can never be lost sight of in a tribunal of justice.—I forbear to dwell further on this delicate subject.

Upon the whole, I consider the property engaged in this transaction as stamped with the hostile character, and I entirely concur in the decision of the district judge which pronounced it subject to condemnation.

DECREE AFFIRMED.

Expose of the French Empire.

LEGISLATIVE BODY.—*Sitting of the 25th Feb*
(CONTINUED FROM PAGE 385.)

OF NEW OBJECTS OF INDUSTRY.

The anxiety to be able to supply all our own wants without being obliged to depend upon foreigners, the improvements in mechanics and chemistry, the ingenuity, spirit and industry of Frenchmen, all these have been greatly aided by useful inventions and by new processes, and they have altogether very much improved our former modes of cultivation and manufacture.

A revolution yet more important, a revolution which will very soon change all the commercial relations established upon the discovery of the Indies, is now in its progress.

An energy, nay a sort of hardihood in action, is as necessary in the administration of internal affairs, as in political relation.

To supply the places of the sugar, indigo and cochineal of the colonies; to raise cotton in the south of Europe, and to procure soda amongst ourselves, for the supply of our manufactures, appeared to be things impossible: we have exerted ourselves vigorously, and the difficulty or impossibility has vanished before our labors.

During the present year, 7 millions of pounds of sugar have been extracted from the beet root; it has been prepared in 354 manufactories, the whole of which are now almost fully employed. After numerous experiments, a process has at length been fixed upon, by which a pound of sugar does not cost the maker more than 15 sous per pound. M. Boumattier, the discoverer of this new method, profited by the useful labor of his predecessors; and the government, in order to disseminate the important information, has directed him to make his discovery known, by personal attendance in those places in which there are the principal manufactories.

Since sugar advanced in price a much less quantity has been consumed. The 7 millions which we now make, are about one-half the quantity which

we now require for our actual consumption. This diminution is not the effect of absolute privation, but of the substitutes, which have been introduced for sugar. Several millions of pounds of the syrup of grapes, and our honey better purified and in increased quantities, has been introduced in lieu of sugar for most of our domestic uses, and this so easily, that the most delicate taste can scarcely tell that there is a distinction.

As soon as the difficulty of procuring sugar and its price shall diminish; as soon as the first profit, now so considerable, if we merely consider them as interest upon the capital invested, shall lower the costs of the first establishment, the quantity will soon again begin to increase, things will resume their former situation, and supposing that a fifth of the consumption of France should be supplied by syrup of grapes, and honey, France will consume 40 millions of pounds of sugar of the beet root, equal to 30 millions of francs; we can safely calculate upon this result in 1814.

Our sugar refiners produce ten millions, and they will reach 20 millions at least. Before the revolution France imported from the colonies immense quantities of sugar, and after retaining 21 millions, exported the residue to other parts of Europe. During the six years, commencing in 1802, we imported annually on an average 52 millions of sugar.—For the four years commencing in 1809, the average importation has not exceeded from 10 to 11 millions. Since that time the utmost pains has been taken to naturalize that article, and we are about to overcome all difficulties.

Indigo maintains the first rank amongst our territorial articles. Formerly, France, which imported great quantities, consumed annually to the amount of 9,500,000 francs; during the six years commencing in 1802, the average annual value was 18 millions; during the five years commencing in 1808, it fell to 6 or 7 millions, and our dyers would have suffered but for the surplus of preceding years. It was then that the efforts formerly made to extract from the pastel the *fecula* of indigo were renewed. Our most distinguished theoretical or practical chemists, Berthollet, Vanquelin, Chaptal, Berthollet, engaged in ingenious researches, and they have succeeded in extracting from pastel the *fecula* of indigo. In the first experiments they failed to obtain an adequate concentration of the coloring particles, or an advantageous proportion between the *fecula* and the weight of the leaves; but in the course of further experiments they succeeded in the results desired. At the present time there are several manufactories in activity. I allude to those particularly, which are attached to the experimental schools under the direction of Messrs. Puyrautrin and Gobat; they produce an indigo, in all distinguishable respects as beautiful as that of the Indies; it sells at 10 francs per pound, which was the price of indigo in 1799. Our dyers consume 12 millions of pounds of indigo annually; the value of which is 12 millions of francs.

Scarlet could not be dyed except with cochineal; the red of the *garance*, less beautiful, was besides less durable. Messrs. Gouin, of Lyons, very excellent dyers, for a long time tried to obtain from the *garance* the same effects as from the cochineal, and they have completely succeeded: their processes have been tested in the presence of some of our ablest chemists and manufacturers; this scarlet, which was the result of their experiments, and its beauty submitted to every convenient test, and its beauty as well as the perfect durability of its color, have been universally acknowledged. The processes of Messrs. Gouin have been made public.

France uses besides to the amount of a million of doehinal. In the seven years commencing in 1802, the average annual importation amounted to 1,500,000 francs; in the four years commencing in 1809, the average annual importation has not exceeded 200,000 francs, the high price having produced the consumption of the surplus of preceding years.

For several years cotton has been cultivated in the department of Rome; the produce has not yet become sufficiently great to warrant its enumeration amongst the resources adequate to our wants; but what has been done has not been merely an experiment; an hundred millions of pounds have been produced, and its naturalization is rendered certain. At Naples, cotton has become one of the principal agricultural productions; France annually procures from that country three millions of pounds. Spain produces cotton in abundance, and of qualities equal to those of America or India. Turkey furnishes the most common cottons and also the cleanest.

Pot-ash is an essential material for our manufactures, which maritime commerce alone could furnish us with twenty-five years ago: we annually imported to the amount of 3,500,000 francs. The average annual importation, for the nine years commencing in 1802, has been 5,500,000 francs. Chemistry has succeeded in procuring this substance in such abundance from the raw materials within our own country, and at so low a rate, that it has fallen two thirds in price, in trade, notwithstanding the absolute prohibition of foreign pot-ash. This production is valued at 3,000,000 of francs.

The aggregate amount of the new products of our soil and of our industry, is equal to 65 millions of francs, and are capable of an equally great increase; thus we are released from the annual payment of 90 millions, which we used to give to foreigners, principally to England.

The other branches of our agriculture and of our industry remain undiminished. The seventy thousand acres, which have been appropriated to the cultivation of the *beet-root*, were fallow lands. The 30 thousand appropriated to the *pasture* are an unproductive part of our soil, but they will now receive manure which will render more productive the future crops. The *garraunce* is already more than sufficiently abundant for all our wants; we export to the amount of 1,500,000 francs, but it will ere long be more usefully employed.

Our salt marshes will supply us abundantly with the raw materials of pot-ash, and it is besides an advantage to derive from this discovery the means of exploring to advantage the precious mine of our salts.

For about twenty years England advised us to give freedom to the blacks, in a hope no doubt, to add to our misfortunes, in hastening the ruin of our colonies. We have confirmed that freedom, by procuring from patient and industrious researches, substitutes for the articles termed colonial, and by enriching our farmers and the manufacturers of those goods, which condemned the blacks to slavery.

Undoubtedly this new industry which gives to Europe, the products which were considered peculiar to America, will not be confined to France exclusively; it will very soon be introduced amongst our neighbors; far from apprehending this, it is our interest to promote it.

France, great and powerful in herself as well as just, has no desire to wrest from any state that which nature has given to it; all Europe will more bountifully partake of the productions of the colonies, when every state shall be able in case of need to do without them.

Recapitulation of the two first chapters.

We have ascertained that the raw productions of our agriculture and of our soil amount to 4 milliards and 31 millions of francs.

That the workmanship and first manufacture of these articles add to their value to the amount of one milliard and 300 millions of francs.

That the products of our new industry are 65 millions.

But these materials have not yet been all manufactured; those which have been manufactured have not yet reached that perfection which our habits and our daily consumption require: our grain is not all made into bread, nor are our stuffs all made into cloths, and the last workmanship is necessary to give the last value of all the values already created, is at least a tenth of those values, or 639,700,000 francs.

Thus the total amount of all the materials, which are annually reproduced for our consumption is at least 7 milliards, 36 millions and 700,000 francs.

OF FOOD.

The price to which grain has risen in the year now about to close was the inevitable effect of the deficiency of the harvest of 1811; the crop had the most promising appearances in the spring, but the tempestuous weather in the month of June changed every thing.—At the moment the harvest was about to commence, it was conceived to be equal to the average state of verdure, and in the beginning of August the solicitude of his majesty was required in order to supply the deficiency of the crop. At that time it was presumed, 1. that the departments of the north, without the circle of Paris, would require grain; 2. that although the situation of the southern departments, including those of the Alps, was better than in 1810, they would require relief from the circle of Paris; 3. that the departments of the west and south-west should also be compelled to purchase; 4. that the circle of Paris had more than sufficient for its wants. The event has proven that these different anticipations were well founded.

The demands which it was foreseen would be made on the circle of Paris, would have caused a great increase of price, and indeed would have deserved it. To diminish those effects, and not to create others, it became necessary to retain within that circle all its own stores or to draw from abroad as great a quantity as it should furnish to other departments. The first mode could not be pursued without encroaching upon the freedom of trade, which should ever be preserved. His majesty, therefore, took the other course; he did more—he directed purchases to be made in places where it had not hitherto been customary to make them, and to have the grain thus purchased delivered for the land and sea service in those places, which would have looked to the circle of Paris for a supply. All the resources of the circle of Paris, the standard of prices throughout the empire, those of the departments through which flow the Saone and the Rhine, and those of the department Languedoc, were reserved to trade for the civil consumption. And besides these measures, his majesty prescribed others, the effects of which have been to introduce grain to the heart of the empire from Belgium and the Rhine.

As for instance: the transportation, in trade, of grain from one extremity of the empire to the other; the importation, at the expense of the imperial treasury, into Provence, Languedoc, and Catalonia, of the wheat of France, of Italy and of the western departments; the importation into Normandy of the grain raised in Franconia, and on the borders of the Rhine and Scheldt: in short, the importation

into the neighborhood of Paris, of the grain of the Hanse Towns, of Holland, of the borders of the Scheldt, the Meuse, the Rhine, the Moselle and the sources of the Meuse: such have been the consequences of the acts of his majesty.

The importation for the land and sea service having risen to 200,000 quintals, about equal to the grain of the interior, which had been consumed in those services, that quantity remains at the disposal of commerce for civil consumption. On the other hand, the purchases made abroad for the supply of the capital, which in the beginning of January, amounted to 1,200,000 quintals, have warranted the exportation from the circle of Paris, of an equal quantity; and as that circle has already exported to the amount of more than 900,000 quintals, it follows that there remains for civil consumption in the other departments of the empire 2,100,000 quintals.

The expenses necessarily incurred in executing these great measures, exceed twenty millions; but this generous sacrifice, which the heart of his majesty has not regarded, has saved his people from all the evils of a scarcity and an high rate of provisions.—The effects of these measures have even to this moment been felt, for the importations in the circle of Paris, which have been continued even since the harvest, have increased the natural resources created by the abundant crop of 1812, and must tend to lower the price still more.

Anxiety for those places where the want of grain would have been most felt, having been thus removed, his majesty occupied himself in providing more especially for those of his subjects who required relief. He directed aid in kind to be every where distributed to those, who could not purchase grain owing to its high prices; 23,000,000 were then humanely employed; more than 1000 economical furnaces have been erected in various parts of the empire; 200,000 rations of wholesome and nourishing soups have been gratuitously distributed or sold at a low rate; the evils of a bad year have thus been overcome; and from the unpleasant circumstances which required so much care to overcome, a new source of nourishment has every where been introduced and made known, which will hereafter render the feeding of large families more easy, in those places especially where grain is not produced in as great abundance as in the departments of the empire generally.

(TO BE CONTINUED.)

Indian Declaration of War.

The following is published as a literal translation of the Declaration of War by the Six Nations against the British in Canada—

WE, the chiefs and councillors of the Six Nations of Indians, residing in the state of New-York, do hereby proclaim to all the war-chiefs and warriors of the Six Nations, that WAR is declared on our part against the provinces of Upper and Lower Canada.

Therefore, we do hereby command and advise all the war-chiefs to call forth immediately the warriors under them, and put them in motion to protect their rights and liberties, which our brethren, the Americans, are now defending.

Signed,

BY THE GRAND COUNCILLORS.

The following speech was delivered at the Grand Council by one of their aged chiefs:

BROTHERS—Hear and attend what I am now to say. A great and terrible war has broke out be-

tween our brothers the Americans and the English king.

The English king, the enemy of our brothers, has employed our red brothers to kill and scalp the American people.

But we, the Six Nations, who live in the limits of the seventeen fires, have enjoyed tranquillity since the declaration of war: None of us have taken an active part in the present contest—because our good brothers the Americans, have told us from time to time—to be still, to be quiet and stay at home, and take care of our women and children. We do not wish, they say, to see your blood spilt in our battle.

BROTHERS—You see that the Americans are very good to us; they do not wish that we should be killed in their battles; they do not wish to see our blood spilt on their account. But, ye warriors of the Six Nations, can you bear, yes I say, can you bear to see a people who are your best friends, captivated by the enemy, yes, and their innocent women and children scalped by your red brothers, who have taken an active part on the side of the enemy. No, I presume not; then arise, go and defend the rights and liberties of your brothers.

BROTHERS—Remember the enemy are great tyrants—they endeavored thirty years ago to rule this great island, and their design was to make slaves of its inhabitants.—But our brothers, the Americans, had too much independence and too much courage—they resisted, and much blood was shed on account of it. But in the end they came off victorious.—Yes, our brothers did beat the red coats completely; although they were then poor and small: But now they are rich and great: Therefore, I will predict, that our brothers will beat them again—Yes, they will drive them from this island.

BROTHERS—You see that I am an old man. I have lived to see two wars—the last one was the American war. During that memorable period, I took an active part on the side of the Americans. I took and killed a number of the red coats and Tories—but I never scalped one, although the enemy did, as they do now. And I would advise all the warriors of the Six Nations not to scalp the enemy on any pretence whatever.

Brothers of the Six Nations, now attend.

We the red people hate the TYRANTS. We do not wish that any one should rule over us. We do not wish that any one should say to us, do this and we should be obliged to do it. But here let me ask, have you compassion for all your red brothers? Yes, I know you have: Then go and liberate them from their chains. Your brothers on the side of the enemy, many of them were forced into the service. Yes, you are not ignorant that it was against their wills to take up the hatchet. You all know that we have had authentic information that our good brothers on the river St. Lawrence were not willing to shed the blood of the American people.

But, you will remember, we are also informed that they were threatened by the British governor or some of his infernal agents, to be driven from their settlements in case they refused to march to the seat of war. Brothers, think how humiliating! Our brothers, who were the ancient inhabitants of that part of the country, now threatened to be driven from their old habitations. Can you bear this—yes, I ask you, can you bear to think of it?—No, you cannot; You cannot see them abused in this manner—you cannot see their liberties and rights taken from them.

Therefore, ye brave chiefs and warriors, arise from your peaceful seats, and go and defend the rights of your red brothers. Let this animate you; that the time will come, and that very soon too,

when your brothers, who are now on the side of the enemy, will join you. Yes, those very muskets they have received from the cursed tyrants to kill us, will be turned against them. Our brothers will revenge. Let this also animate you, that we shall be able to collect at least three thousand warriors, and we the chiefs trust that with this force you will be able to withstand any Indian force that the enemy can bring into the field. We the chiefs also trust that you will be able to teach the enemy that the American Indians can fight as well as the British Indians.

[From the preceding it appears that some of the Six Nations fought on our side during the revolutionary war—and that "three thousand warriors" may be collected to take part with us in the present controversy against the old enemy, which, we presume, is the whole force of all the friendly tribes. For the satisfaction of our readers, we have collected the following particulars, which are believed generally correct:

The Six Nations are the *Mohawks, Oneidas, Onondagas, Senecas, Cayugas, and Tuscaroras*, and occupy several extensive tracts of reserved land in the western parts of the state of New-York, with intermedial spaces, on all sides populated by the whites. At the commencement of the revolutionary war this confederacy was very powerful; and seduced by the price of blood, took up the tomahawk on the side of the tyrant, Guelph. Joined by a number of infamous Tories and murderous Englishmen, they committed the most horrid ravages that the whole history of our wars with the Indians record. But in 1799 they were completely defeated; all their towns destroyed, and their head men killed or dispersed. Peace was granted to them with uncommon magnanimity, while measures were taken to ensure their observance of the conditions, and they have since been a quiet and orderly people. Their rights have been carefully protected; and they have made considerable progress in agriculture and the arts, more, so perhaps, than any other Indians who retain their original lands, and reside in a body. Their whole population is from 4 to 5000 souls, and they may send about 1000 warriors to battle. Ever since the commencement of the present war, they have solicited to fight on our side, but were restrained till now, even though it was apprehended that many of their young men, disgusted with the refusal, might cross into Canada, and join the enemy. The "events of the war" will test the darling plea of the enemy in behalf of his horrid barbarities, "that they cannot be restrained." We believe they will be "restrained," and their employment may be eminently useful in establishing the British character on its true foundation, if for nothing else. But why should a man say the British would restrain them?—Is there not a regular market for scalps; where those of all ages and sexes, are purchased and no questions asked? Ed. Reg.]

Creek Indians.

The following interesting sketch of the rise of the present civil war among the *Creek Indians* may become an important article in the history of that people. Later accounts inform us that several little battles had taken place, and a number of murders committed by the war party.

From the *Milledgeville Journal*, of July 14.

The following information is derived from a source that may be relied on.

EXTRACT TO THE EDITORS.

I had the pleasure of being present this day [5th

July] when a chief sent as a runner from the friendly Indians at Tookaubatche, made his report to col. Hawkins. He was a man deservedly of high standing among his own people, and one of those doomed by the followers of the prophet for destruction. He said the difficulties of the friendly Indians continued to increase; nine of their people were murdered, one of them a woman, and that a chief was missing. Attempts had been made to settle their misunderstandings in a friendly way, and refused by the adherents of the prophets. The chiefs repeated their desire to throw aside their war-sticks and war projects, but without effect. The answer was insulting and hostile, as well to the friendly Indians as to the citizens of the United States. The old Tal-e-sce king returned the answer. He boasted of his bows, his arrows, his war-clubs and his magical powers. The chiefs say they have brought themselves into their present difficulties and embarrassments, by their fidelity to their treaty stipulations with the United States. By giving satisfaction for the murders on the post-road, on Duck river and Ohio, which it was the duty of the nation to do, they are placed in a war attitude by their opponents. By doing justice to the white people, they have incurred the resentment of a strong party in the nation, who threaten them with death. The work of death and destruction of houses and property had already commenced.

This being their true situation, they asked of col. Hawkins the aid of the white people. They were willing to pay for this aid, and pointed out the fund for it. They were willing to pay all the expense, though their white friends in aiding them will effectually aid themselves. "If we are destroyed before you aid us," said the chief, "you will have the work to do yourselves, which will be bloody and attended with difficulties, as you do not know as well as we do, the swamps and hiding places of these hatches of mischief."

Col. Hawkins sent off a runner with an interpreter and four chiefs to those who had taken the prophets' talk, with this demand of explanation of their conduct, which was interpreted in my presence, "I hear you have taken part with the prophets. The prophets have put to death nine people, because they helped the chiefs of their country by putting the murderers of our white friends to death, which they were bound to do by their treaty with Washington. I hear you have begun the war-dance, made your war-clubs, and are for war with the white people. What is this for? What injury have the white people done you? You know who I am—I have been long among you—my talks have been always for peace, and they have been the saving of your country. Are you going to divide your nation and to destroy it? Do you not know the prophets' talks will be the destruction of the Creeks and give joy to your enemies? You have threatened the life of my interpreter and to destroy property. If you do him any injury, you do it to me and all the people of the United States. What has he done?—delivered you my friendly talks. I never will forgive the murders of white people or red people friendly to them. You threaten Kialjee, Tookaubatche and Cowetau? What is this for?"

"Speak plain to me. I have ordered four great chiefs of Bussetau to carry this talk and bring your answer. We can settle things much better now than when you see me with an army. I am now your friend—I shall then be your enemy. You may frighten one another with the power of your pro-

* The Alabama lands, which are remarkably fertile.

phets to make thunder, earthquakes and to sink the earth. These things cannot frighten the American soldiers. The American soldiers are now your friends, and I hope they will always be so. Take care how you make them your enemy. The thunder of their cannon, their rifles and their swords will be more terrible than the works of your prophets. If you are friendly you have nothing to fear. If the white man is safe in your land, you are safe. If the white man is in danger in your land, you are in danger; and war with the white people will be your ruin!"

A reply from the fanatic indians we believe has not yet been received. Nor is it to be expected that words alone will avail much with a people in their situation. Being bent on mischief, they must taste the calamities of war and be made to drink deeply of the cup of affliction before they will return to their duty.

Our agent, Col. Hawkins, accompanied by McIntosh, a celebrated indian chief, had an interview with the governor the latter part of last week, the result of which is believed to be this—col. Hawkins requested the governor to furnish him with 50 stand of arms and some ammunition to enable the friendly indians to repel any attack that might be made by their opponents, till the aid which has been required of gen. Pinkney can be given them. The express left here Friday morning for St. Mary's, and is expected to return in the course of this week. McIntosh set off for Tookaubatchee about the same time. He was to have arrived there last night, and promised to acquaint the governor by Saturday next with the relative strength of the contending parties and their future prospects. If from his report it shall appear necessary, the governor, we understand, is determined to risk the consequences and call out a force sufficient to crush the prophets and their adherents.

[By subsequent information we learn, that the civil war rages with increased fury. Col. Hawkins unequivocally ascribes these commotions to the intrigues of the *British in Canada*. This is probable enough. What care they for blood, provided a purpose can be effected? If they had been less protiged of it, they would, at least, have spared the *Creeks*; waa, surrounded by thick settlements of whites, without a back country to fly to, must be destroyed. There is no hope or prospect of any thing else, and the *disunion* they can make in favor of *Canada* will amount to—nothing at all. Their affairs will be settled in a few weeks. Maj. gen. *Piuckney* has ordered 600 regulars (150 of them cavalry) into the country—the 3d U. S. reg. of infantry, perhaps the best in the service, with 1500 volunteers from *Tennessee* will enter on one side, while 2500 Georgians will attack them on the other. We hope they may relieve the friendly Indians, immediately, and command the restless spirits to peace without bloodshed. The war *Creeks* are said to have 2500 warriors—they have no great supplies of the munitions of war, that we hear of, and their number is, probably, exaggerated.]

Events of the War.

MISCELLANEOUS.

BARBISH DEBATE. The following is a singular article. It is worth while to observe how great attention the *British* pay to *own elections*; and also to notice, that instead of the *British* government calculating on peace, as it has been alleged they did on *suspending* the orders in council, that a squadron

had been sent out with the *old British* order, to sink, burn and destroy, a month before the war began, on *our part*!

In the British parliament on the 18th of February last, Mr. CANZING said "what he had chiefly to deplore was, the *unaccountable insincerity* which was adopted, when *rigor* and *promptitude* were dictated by the very state of things in America. The moment was auspicious—the elections were doubtful—the boasted preponderance in favor of Mr. MARSH, might have been destroyed by some great blow suited in its effects to give a complete turn to the public opinion; yet nothing was done, nor so much as attempted."

Mr. CHOKER said that the view which the right honorable gentleman had taken of this subject arose from imperfect information; and he might spare himself the latter part of his regret upon being told that the British squadron had received orders to make *prompt* and *decisive* war, as the only sure road, to a safe and honorable peace: That a squadron was sent out as early as May, [a month previous to the American declaration of war] with the *old British* order to SINK, BURN and DESTROY. A hostile spirit was observed in the American people, and if they attempted to lift a hand against a British subject, these were the orders given and signed on the 29th of May, orders which had since never been revoked, which had been afterwards restricted by no drag-chain of further communication, but which were then and are now in force against the Americans."

Treason. There is no language sufficiently pointed to reprehend and expose the rank treason committed by many citizens of the United States. Opposed to their own administration, some insensibly glide into the ranks of the enemy, and aid and assist him in the way he most needs. *Philadelphia* market, famous all over the world for the quantity of the good things of life there exposed for sale, furnishes few articles that may not be had on board the blockading squadron off *V. London*, &c. Every day's intelligence gives us additional reason to rejoice that government has adopted the most effectual plan to check this growing evil. A late *Rhode Island* paper, printed at *Newport*, publishes the names of several persons engaged in this villainous traffic, and tells us that one of them is a member of the general assembly of that state!

Torpedoes.—The following singular article is from a *Boston* paper of the 9th inst. We should despise ourselves for offering a comment upon it—"An account of the explosion of one of these dreadful machines, near the Plantagenet 74 gun-ship appears in the *Virginia* papers. As the inventor appears to be sanguine, that he can so contrive his machinery, as effectually to blow up every ship which he can reach unobserved; it is high time to calculate the cost which the innocent merchant as well as coaster will have to pay for such ingenuity; should a single ship be destroyed in this way there will not be an American vessel, of any description, that should come within the power of the enemy that will escape destruction; nor will our *towns*, which are at present respected, escape the general wreck. So far as the war has progressed, we have been spared from its most sanguinary effects; let the machines be successfully employed; and "the dogs of war," will then if really be let loose upon us, crying,

"Havoc and confusion."

Capt. Hopkins, who has arrived at Boston, from Cadiz, was boarded by several enemy vessels off the coast, had his desk and trunks broken open, and ship ransacked from stem to stern. On board the *Nymph* frigate were two men who were taken in a small row-boat filled with all kinds of vegetables;

which, they said, they were carrying to market when captured!—A day or two before, the *Nymph* had captured a coasting vessel laden with live bullocks! Well may the "friends of commerce" bawl at Mr. Madison, "for cutting off the little trade that was left us," by his orders through the war and navy departments.

Mr. James M. Ludlum, of the city of New-York, has obtained letters patent from the United States, for a shot called "Tumbulated Cylinder Shot." It has been shown to several scientific gentlemen, who consider it ingenious, and believe it will have the desired effect, and if so, it certainly will be a great improvement to the art of warfare.

Too much British.—A certain James O. Boyle, a "naturalized Irishman," as he calls himself, residing at Pugh town, Va. offers a reward of one thousand dollars for the head of "the notorious incendiary and infamous scoundrel, and violator all laws, human and divine, the British admiral Cockburns—or, five hundred dollars for each of his ears, on delivery." I do not know what Mr. O. Boyle could make of the ears of Cockburn to requite the expenditure. Bragg, Proctor, who has more experience in the value of head-skins than any one else, only gives six dollars for a whole scalp. Perhaps, as commodore *Chamusey* brought away the trophy suspended in the legislative hall of Upper Canada (the scalp of a few etc.) Mr. O. Boyle designs to supply its loss with ears of a monster.

The ship *Monsoon*, about to leave Alexandria with a full load of flour in company with many other vessels, notwithstanding the "blockade of the Chesapeake," was mentioned in our last, page 387.—The following is given as a copy of the endorsement on her papers:

"Whereas the within mentioned ship *Monsoon*, is laden with flour, and must pass within the control of the enemy's squadron now within, and blockading Chesapeake bay, if she is allowed to proceed on her intended voyage, and as the enemy might derive from her such intelligence, and succour, as would be serviceable to themselves, and injurious to the United States—I do therefore forbid her proceeding on her voyage while the enemy's force shall be so disposed, as to prevent a reasonable possibility of her getting away, without falling into their possession.

"U. S. Frigate *Adams*,
River Potomac, July 31, 1813.

(Signed)

C. MORRIS.
Captain U.S. Navy."

About midnight on Sunday night, (says the Charleston City Gazette of August 10,) the ship *Caroline*, lying at Five Fathom Hole was boarded by a boat and twelve men, well armed from the United States' schooner *Nonsuch*, under the orders of midshipman Stevens, in the character of a British officer from one of the enemy's vessels now on the coast, when the commander produced a passport from admiral sir J. B. Warren, permitting a Russian messenger to proceed with despatches from the Russian minister here to his court, dated the 12th April last; and attached to said passport was one from admiral Cockburn, permitting the vessel carrying said messenger to take a cargo free from molestation by any of his majesty's cruisers, dated the 10th of May.—This finesse was well conducted by midshipman Stevens, and all the necessary information obtained. I understand the papers have been submitted to the proper authority here, whose duty it is to take cognizance thereof and the ship permitted to proceed!!

The British prisoners of war (says a Charleston paper of Aug. 9.) confined in this place, were sent

down yesterday afternoon to the cartel *Magnet*, in the pilot-boat *William*. Among them were 12 seamen who have been confined in goal nearly a year, as hostages for six seamen who were taken on board American privateers carried into Nassau, and who were sent to Jamaica to take their trial, as subjects of Great Britain. These latter having been some time since discharged, the hostages are now given.

Extract of a letter from a gentleman at Plattsburg to his friend in N. York, dated August 6, 1813.

The British retreated from this place so precipitately, that they left their picket guards behind them, and we have made prisoners of twenty-one of them, and have sent them to Burlington. About a dozen sailors and soldiers deserted from the enemy, and have gone to the southward. Colonel Murray who commanded the detachment of British troops dropt a paper, from his hat, whilst he was talking to some of our citizens, one of whom picked it up and secreted it, and showed it to me after the militia returned. It was a letter to a col. Murray from person at this place, giving him information as to the best mode of attack, together with a military map of Burlington on the opposite side of the lake. I immediately called on the magistrates, and in the course of a few hours we apprehended a man on suspicion of his being the writer of this letter, and on examination before three justices, he acknowledged the fact. Consequently he has declared himself guilty of HIGH TREASON; has been taken into custody, and sent to Albany for safe keeping.

The Russian Mediation.—"We hear (says the N. York Gazette) that the Russian minister in London sometime notified the interference of Mr. Besselkoff to bring about a reconciliation between the U. States and Great Britain, to Lord Castlereagh; who replied that he would pay the subject that consideration which was due the illustrious sovereign who offered it, and would submit the subject to the privy council—but intimated that it would not be accepted.

It is stated that one of the persons concerned in the late piracy or riot, (as the case may be) and battle, mentioned in our last, page 385, with those who recaptured the brig, being discovered to be an alien enemy, has been seized by the marshal and deposited in the guard-ship, there to remain until the end of the war. If the matter was closely enquired into, we suspect some thousands of active partizans, being alien enemies, ought to keep this gentleman company.

FLOUR, at Lisbon, 13 to 14\$ per barrel—no sale At Halifax, 20 to 21\$ in demand. Query—Where would "all the vessels that would have been off in a few days" from Alexandria have went to, if the *Monsoon* had not been stopped by the *Adams* frigate? They would have been captured and sent to Halifax, Canada, that heretofore exported large quantities of grain, by the "events of the war" has received vast supplies from Halifax, the growth of our soil, for the use of the British armies therein. Let this fact be considered; and the high importance of the late orders of government becomes so manifest that we are astonished any honest man (and, perhaps, there is not one) can object to them. What!—shall we run right into the mouth of the enemy and feed him? Degrading meanness of soul, and horrible avarice!—Let a strict guard be kept on the ports of the Chesapeake, the Delaware and the Hudson, but particularly the former; and the face of things will soon be materially changed. The British in Canada and at Halifax, must have flour from the U. States or suffer exceedingly. By what sort of legerdemain they are to get it, through their many agents here, doubtless actual contractors, remains to be seen.

Washington City, Aug. 11. CURIOUS FACT.—On Thursday the 20th July, about one o'clock, a very distant and heavy firing, which continued for about 2 hours, was heard by many persons in this city, and by a number of the members of congress on the top of the Capitol. At the time it was thought to be at or near Annapolis; but on the next day, it was found that all had been quiet there, and the firing had been heard also by many in that place. It was then suggested by some that the sound must have proceeded from the Delaware, which by others was thought impossible. However, the disputed point appears to be settled by Lieut. Angus's letter, which states the time of his action to have been the same as when the firing was heard here, and on the same day. By examining the map, it will be found that the distance of the city of Washington from the scene of action, in a direct line, is one hundred and twenty miles!

Halifax, (Nova-Scotia) July 9.—On the 22d ult. an attempt was made by H. M. forces in the Chesapeake to effect a landing on Crany-Island, 18 miles below Norfolk; but some of the boats unfortunately grounding, while exposed to the firing of the enemy's batteries, the attack was relinquished.

Extract of a letter from an officer in one of H. M. ships, dated Hampton Roads, June 25.—We this day carried Hampton by storm—the Americans have suffered much; but our loss is small. Capt. Hanchet of the Diana, was severely wounded in the affair at Crany-Island.

The loss in killed, wounded and missing, both at Crany-Island and Hampton, amounted to about 30; that of the Americans was upwards of 300. On Sunday the 27th ult. the marines, &c. retired from Hampton, and were embarked on board his majesty's ships.

MILITARY.

Gen. *Wilkinson* passed through Philadelphia on the 12h inst. on his way to the frontiers, and left New York on the 14th in the Steam-boat for Albany.

Maj. gen. *Pinckney* and suit arrived at Charleston, S. C. August 13.

Brig. gen. *Taylor* of Virginia, declines the appointment in the army of the U. S. but retains the command at Norfolk.

The whole force of the New York militia, called into the service of the United States, will amount to upwards of 10,000 men, instead of only 4,500, as stated in the last number.

M. ny persons, who constantly abused gen. *Dearborn* while in command, making him a standing butt for brilliant flashes of wit—sow, wheel about and abuse the government for removing him from it!

Two hundred British prisoners, partly of the 49th regt. passed through Can. galearric, (N. Y.) on the 12th inst. on their way to Albany.

Gov. *Shelby* has again summoned the *Kentuckians* to arms. He requests that they may assemble as volunteers at *Newport*, on the 31st inst. where he will meet them, to lead them to battle. He says, their services will not be wanting for more than 60 days, and declares the time arrived to put an end to the contest in that quarter. This call is made at the requisition of *Harri-son*. The governor is an old veteran, in himself a host. It is stated, that at *Kings-Mountain*, his harangue to his men consisted of the following words—"never shoot until you see an Englishman; never see an Englishman without bringing him down."

Russel's expedition.—We noticed some time since the departure of col. *Russel* from Vincennes, with some companies of rangers and volunteers on an expedition against the Indians. He left Vincennes on the 1st of July, with about 500 men. He marched

to the Delaware towns, the Mississinewa towns, to several towns on the Wabash, to a Pottawattomi town on Bel river, all which he burnt, and returned by Fort Harrison to Vincennes on the 20th of the same month, traversing the distance of four hundred and eighty-five miles, through what was lately the best settled parts of the Indian country, without seeing one Indian in the whole route! It seems the whole population has moved off; perhaps, to people the present territory of their good ally, the "defender of the faith." We trust they will never be permitted to return to "the land of their ancestors." The title is, in law and justice, extinct.

N. H. army. We have nothing particular from the N. W. army since our last. By his private correspondence the editor is informed that the siege (if a siege there was) of Fort *Meigs* was believed to be raised about the 5th of August—that the enemy had wholly retired, probably to collect his forces to meet the storm he saw coming—6000 of the *Ohio* militia had arrived at head quarters (Seneca) 9 miles this side of *L. Sandusky*, on the 7th or 8th of August, and from 4 to 5000 more would arrive almost immediately, being well advanced on the road.

Extract of a letter from Lower Sandusky dated August 12th, 1813.

"The British surgeon who came with a flag to take care of the wounded in our possession, acknowledges that they lost 91 killed and missing. He has not mentioned the number of wounded which were taken off, but says several died before they got to the lake.

Major *Muir*, one of the best officers of the British 41st regiment, is supposed to be mortally wounded."

Plattsburgh. A circumstance, (says the New-Hampshire Patriot)—worthy of remark, and which ought to be recorded as evidence that we have a horde of traitors near our borders and in fine every where, in whom the British place unbounded confidence, is, that for more than one week previous to the attack large droves of cattle from the contiguous country were driven into the village of Plattsburgh, with no ostensible reason why it was done: these cattle remained and were peacefully taken possession of by the British—not, without doubt, until the owners had been paid for them!

Head-Quarters, Erie, Aug. 6, 1813.

GENERAL ORDERS.—The commanding general [maj. gen. *Mead*, of the Pennsylvania militia] has the satisfaction to announce to the troops, before the period for which they were called out has expired, that the return to their homes will not be delayed, as their services here are no longer necessary.—Our *Rolla* having under a competent and gallant commander with safety crossed the bar and went in pursuit of the enemy. Nothing but a deep sense of the value of what was at stake, and the almost irredeemable calamity that must have befallen this section of the country, had the enemy accomplished the destruction of the fleet before it was ready to sail, and the stores now here, for the north western army, could have prevailed on him to continue them embosomed at this season, even for a few days. Called out en masse, at the commencement of harvest, and after a long continuance of rainy weather, he was, with many others, surprised to see so great a proportion of the brigade assembled in arms. On the one side there was presented the probable loss of the crops, just ripe, and the great privations of domestic pursuits, when the whole effective population is called away; on the other, the destruction of the shipping and means of defence for the north western army, the invasion of our territory, and the honor of the country invaded and degraded. In this

alternative you embraced the cause of your country, by suffering personal inconveniences and losses, far greater than has been suffered by any other portion of this state, since the commencement of the war. For such meritorious conduct, the general in the name of his country, tenders you his thanks. Your ardor, obedience and good conduct as soldiers, particularly merit approbation.—The good citizen will always be a good soldier. It is with pleasure the general acknowledges both characters in you, and he will not fail to represent you to your government accordingly.

NAVAL.

The Ontario fleets.—On the 7th of Aug. the rival fleets were both seen from Fort George, bearing for each other, in line of battle, the British to windward. When about a mile from each other, *Chauncey* fired a broadside, by way of challenge, but *Yeo* declined its acceptance, and, having the wind, clawed off and escaped. On the 8th the two fleets were off Forty-mile Creek, 4 miles apart, the enemy close under the land, where, it is supposed, there is a considerably body of troops. As late as the 11th at Fort George, it did not appear that an engagement had taken place.

The Erie flotilla.—American force—Brigs Lawrence and Niagara, each of 18 32 lb carronades and 2 long 12's; the Caledonia, one 32, 2 long 24's and one long 12; schooners Sommers, one 32 and 1 long 12; Tigress and Porcupine one long 32 each; Ohio and Amelia, one 18 each; Ariel three 12's; sloop Trip one 24.

The British force consists of the ship Queen Charlotte—brigs Hunter and Lady Prevost; one sch'r. and the sloops Erie and Friends Good Will. They are also said to have a new and heavy vessel on the lake; but the enemy force is not specifically stated. We suppose it is quite equal, if not superior, to our own.

Our flotilla.—A note in our last (from Com. Perry, stated he had got the U. S. vessels over the bar, Aug. 4, on which, it appears, there was not more than five feet water—the larger vessels were buoyed over. Presuming this to be the best harbor on our side of the lake, our flotilla can have nothing to hope for, in running from the enemy, if his force should prove superior; but we feel quite easy on this score. The British officer ought to be cashiered for permitting our fleet to get out. The squadron sailed on the 5th in quest of the enemy, and returned on the 8th without meeting him. About to sail again the same day, Com. Perry was informed that the gallant Lt. Elliot (now a master-commandant) with 89 brave tars, and several officers, was at Cataraugus, distant 60 miles, on the way to join him. The proposed cruise was delayed, and a vessel immediately sent off for this happy reinforcement, which fully manes all our flotilla.

NAVAL PROMOTIONS AND APPOINTMENTS by the President, confirmed by the senate—

To be captains—Joseph Tarbell and Arthur Sinclair.

To be masters-commandant—Lewis Warrington, Thomas Macdonough, Charles G. Ridgely, Samuel Angus, Johnston Blakeley, William B. Allen, Melancthon P. Woolsey, Robert T. Spence, John Orde Creighton, Edward Trenchard, John Downes, George Parker, Daniel T. Patterson, John D. Henly, Jesse D. Elliot.

To be lieutenants—William H. Allen, Samuel D. McKnight, Daniel Connor, John Gallagher, Thomas Holdup, Samuel H. Bullis, James A. Dudley, James P. Oellers, William M. Hunter, John D. Sloan, John Packett, William H. Cooke, John J. Farnall, Matthew C. Perry, Charles W. Skinner, Joseph Wrag, James

Saunders, James Reilly, Samuel W. Adams, William S. Coxe, James R. Madison, Dugimier Taylor, Geo. Pearce, Frederick W. Smith, Henry S. Newcomb, Nathaniel D. Nicholson, Thomas Tillinghast, John L. Edwards, Otho Norris, John T. Newton, P. A. I. P. Jones, Samuel Henly, Augustus Concklin, Joseph Smith of Ms. Thomas P. Beatty, Lawrence Roseens, George W. Storer, John Stansbury, Archibald Hamilton, Henry B. Rapp, Lewis German, Joseph Cassin, Robert H. Rose, Beverly Kennen.

Then follows a list of surgeons, surgeons mates, pursers, and 1st and 2nd lieutenants in the Marine corps.

A vessel has arrived at New York, in distress, that passed the whole southern coast of the United States to that port, without seeing a cruiser.

It is stated that Capt. Crowninshield designs to erect a splendid mausoleum to the memory of Lawrence, at his own expense.

The Poitiers 74, and Maidstone frigate, with the private signals of the U. S. navy, were spoken July 18, off Cape Sables, cruising for commodore Rodgers.

The enemy has burnt many small vessels off the coasts adjacent to Boston, within the two last weeks.

The license of a fishing vessel, commanded by a Capt. Pratt was indorsed as follows:

"This vessel was captured by the Rattler, as belonging to a person who has several vessels in the same trade; and more particularly from the plunder of fishing vessels commissioned as privateers, one of which robbed the house of an inhabitant of Beaver-Harbor.

"Mem. All fishing vessels found 10 leagues from the land, will be destroyed hereafter.

"Given on board the Rattler at sea, Aug. 1, 1813. (Signed) ALEX. GORDON, Capt."

Capt. Pratt was informed, verbally, by Capt. Gordon that if he saw his commander, (captain Capel, of La Hogue) on this station ridiculed any more in our papers, he would burn and destroy every thing he fell in with one mile from the land.

Captain Travis, (says the *Norfolk Herald*, of Aug. 10) late commander of the revenue cutter *Surveyor*, (captured in York river) was sent on shore at Washington, N. C. on his parole, and arrived here on Friday last. He was on board the Junon frigate at the time she was attacked by the gun-boats, and states, that four shots struck her hull; that her rigging was very much cut up, and that she had one man killed, and two or three wounded. Thus the damage done on both sides seems to be pretty near an equality. By the report of the officers, Capt. T. is of opinion, that the fire from the battery at Craney Island was far more destructive, than we had any idea of. A single shot depopulated, (as Dr. Johnson would say) or, in plain English, cut off the legs and feet of nearly a whole boat's crew. Another shot struck amongst a crowd of soldiers on the land, and killed seven!—Nothing could exceed the confidence of the enemy in taking Norfolk on the 22d of June, except his astonishment and mortification at being defeated. Capt. Travis saw a map of all the fortifications, roads, &c. about Norfolk, with memorandums and explanations, annexed, which was drawn up by a Capt. Udney, who was for several months a prisoner in this place, and had been exchanged and sent on board the fleet. There is not the least doubt that Capt. Udney was aided in his undertaking by certain characters residing in Norfolk, whose expulsion from the town, in its present situation, would be of signal advantage. Capt. Udney himself could not have obtained any information that would have been serviceable to the enemy.

A letter from captain Taylor, late of the Paul Jones privateer, relates his capture in consequence of falling in with a frigate in a thick fog, off the coast of Ireland. He received her fire for a considerable time before he struck his colors—but being crippled was compelled to haul down his stripes. After which the enemy continued to fire; and manifested a disposition to murder all hands. He also complains of the miserable living that is allowed him.

At our last accounts from Halifax certain carrels were about to leave that port with all the American prisoners then there, about 1100.

The enemy in his late excursion on *Champlain* completely scoured the Lake. He took in all, or destroyed, eight or nine little vessels, from 10 to 25 tons—if these are converted into gun-boats, as they probably will be, the command of this water must for some time belong to the enemy; unless *Hampton* can dispossess them of the *Lake of Noix*, their place of rendezvous.

The following is a copy of the decision of the court martial, at Bermuda, on the officers and crew of the British frigate Macedonian, when taken by the American frigate United States:

The court is of opinion, that previous to the commencement of the action, from an over anxiety to keep the weather gage, an opportunity was lost of closing with the enemy, and that owing to this circumstance the *Macedonian* was unable to bring the *United States* to close action, until she had received material damage; but as it does not appear that this omission originated in the most distant wish to keep back from the engagement, the court is of opinion that captain John Surnam Carden, his officers, and ship's company, in every instance throughout the action, behaved with the firmest and most determined courage, resolution, and coolness, and that the colors of the *Macedonian* were not struck until she was unable to make further resistance. The court does, therefore, most honorably acquit captain John Surnam Carden, the officers and remaining company of his majesty's late ship *Macedonian*; and capt. Carden, his officers, and company, are hereby most honorably acquitted accordingly.

The court cannot dismiss captain Carden without expressing their admiration of the uniform testimony which has been borne to his gallantry and good conduct throughout the action, nor lieutenant David Hope, the junior lieutenant, the other officers and company, without expressing the highest approbation of the support given by him and them to the captain, and of their courage and steadiness during the contest with an enemy of very superior force, a circumstance that whilst it reflects high honor on them, does no less credit and honor to the discipline of the *Macedonian*. The court also feels it a gratifying duty to express its admiration of the fidelity to their allegiance and attachment to their king and country, which the remaining crew appear to have manifested in resisting the various insidions and repeated temptations which the enemy held out to seduce them from their duty, and which cannot fail to be fully appreciated.

Boston, August 4.—The ship *Fair American* capt WEATHERS, which arrived here on Monday from Lisbon, was boarded on the 26 July in lat. 42, long. 64, from his *Britannic* majesty's frigate *Maidstone*, captain BERRITT, after a chase of 17 hours, and the following particulars respecting the infamous treatment received from capt. B. were noted by the passengers, and are published at their request.

At 9, A. M. was brought to and hailed from capt. B. (who stood in the main rigging) as follows:—“Where are you from?” *Answer*, “From Lisbon.”

“Why did you not heave too, and not run me so far out of my way?” *Answer*—“I understood there was a French squadron out, and I thought you might have been one of them.” To which BERRITT replied, “You have heard of no such thing, sir, you are a liar—you are a damn'd liar, sir, and your country are a damn'd set of liars—you are a nation of liars,” and repeated the same several times over. He then continued, “I will cut your cabin to pieces—I will cut you in pieces—lower your top sails down, sir, get a bag of dollars ready to pay for the shot I have hove at you—they were the king's shot, sir—you are an enemy, sir, (twice repeated)—for you have no license from my government, sir, or you would not have run away from me.” He then repeated over several of the above blackguard expressions, and ordered captain WEATHERS to come on board with his papers, which he complied with, and while there, was grossly insulted with the foulest language.

Copy of a letter from commodore Channcey to the Secretary of the navy.

U. S. ship Gen. Pike, at anchor off Niagara, Aug. 4, 1813.

SIR—After leaving Sackett's Harbor, I stretched over for the enemy's shore, and from thence stood up the lake; the winds being light I did not arrive off this port until the evening of the 27th ult. On the 24th I fell in with the *Lady of the Lake* on her return to Sackett's Harbor, with prisoners from Fort George. I transferred the prisoners to the *Raven*, and ordered her to Sackett's Harbor. The *Lady of the Lake* I dispatched to Fort George, for guides for the head of the lake. General Boyd having informed me that the enemy had a considerable deposit of provisions and stores at Burlington Bay, I was determined to attempt their destruction. On the 25th I was joined by the *Pert*, and on the 27th by the *Lady of the Lake* with guides, and capt. Crane's company of artillery, and col. Scott, who had very handsomely volunteered for the service.—After conversing with col. Scott upon the subject, it was thought advisable to take on board 250 infantry, which by the extraordinary exertions of that excellent officer, were embarked before six o'clock the next morning, and the fleet immediately proceeded for the head of the lake, but owing to light winds and calms we did not arrive to an anchorage before the evening of the 29th.—We sent two parties on shore and surprised and took some of the inhabitants, from whom we learned that the enemy had received considerable reinforcements within a day or two, and that his force in regulars was from six to eight hundred men. We however landed the troops and marines and some sailors the next morning, and reconnoitered the enemy's position: found him posted upon a peninsula of very high ground and strongly intrenched, and his camp defended by about eight pieces of cannon. In this situation it was thought not advisable to attack him with a force scarcely half his numbers, and without artillery; we were also deficient in boats, not having enough to cross the bay with all the troops at the same time. The men were all re-embarked in the course of the afternoon, and in the evening we weighed anchor, and stood for York; arrived and anchored in that harbor at about 3 P. M. on the 31st, ran the schooners into the upper harbor, landed the marines and soldiers under the command of colonel Scott, without opposition, found several hundred barrels of flour and provisions in the public store house, five pieces of cannon, eleven boats, and a quantity of shot, shells and other stores, all which were either destroyed or brought away. On the 1st inst. just after receiving on board all the vessels could take, I directed the barracks and the public

store houses to be burnt; we then re-embarked the men and proceeded for this place, where I arrived yesterday. Between 4 and 500 men left York for the head of the lake two days before we arrived there. Some few prisoners were taken, some of whom were paroled, the others have been landed at Fort George.

I have the honor to be, sir, very respectfully, your obedient servant,

ISAAC CHAUNCEY.

BLOCKADE OF NEW-LONDON.

A cutter belonging to the frigate *Constellation*, lying at *Norfolk*, arrived at New London 8 or 10 days ago.

The *Ramifies*, 74, and *Orpheus* frigate, with a schooner tender, constituted the whole of the enemy blockading squadron, Aug. 13. If this continue the force, it is possible *Decatur* may attempt to get out.

BLOCKADE OF THE CHESAPEAKE.

Carberry's regiment remains at *Annapolis*. Capt. *Morris*, of the *Adams* frigate, has also arrived there with 220 seamen and 100 marines to man the batteries, &c. several fine companies of militia have also come in, and the defences are respectable. On the 14th a frigate supposed to have *Cockburn* on board, was at anchor opposite the harbor, less than 6 miles from the city; and a schooner had been sounding off the river for the two preceding days. Some deserters who arrived there state that the enemy's troops are not so sickly as has been generally supposed.

Attack upon *Queentown*. On Wednesday, the 7th, the enemy with 40 barges filled with men, made an attack upon *Queentown*, in *Queens Anns* county, both by land and water. The attack was so unexpected that but little resistance was made, the picket guard of our militia only firing upon the enemy, by which they killed and wounded three or four of them. They then retreated to *Centreville* the country town, a distance of seven miles, which the women had chiefly left expecting an attack.

Queentown is a village containing 10 or 12 houses, situated on the *Chester* river 2 miles from the bay.

Eleven deserters came into *Centreville*, and surrendered themselves, the day after the attack upon *Queentown*. At the former place is collected 5 or 600 militia. The want of arms has prevented the assembly of a very considerable force. Several of the British have been found killed in the woods. The picket guard of 18 men (at *Queentown*) concealed themselves behind a fence until the enemy had got within 30 yards of them when they fired and retreated through a cornfield; by a rapid circuitous movement, they ambuscaded again, and had a second fire at the foe. The body of the militia at that place (280 men) made a masterly retreat to *Centreville*, without loss.

A letter from *St. Michael*, says—

"On the 10th inst. at 4 o'clock A. M. the British made an attack on *St. Michael* with eleven barges, they went up the river on the opposite side of *St. Michael*, without making the least noise close in the shore, and as it was very cloudy and our men in the fort without suspicion of an attack, they had landed before they were discovered. Our men fired two guns and left the fort of which the enemy immediately took possession and gave three cheers, supposing they would have *St. Michael* without much difficulty, but they were very much mistaken; for the *St. Michael's* people and capt. *Vickers* of the *Easton* packet, with the artillery from *Easton*, attacked them so briskly and pointed their guns with so much judgment, that our invaders were soon obliged to make off—the infantry were not engaged.

There were only four pieces of cannon in the battery, one of which our own people spiked before they left it, the other three were spiked by the enemy; but they have all been drilled and are again ready for service.

We were fortunate enough not to have a man hurt, although the grape shot flew like hail in the town, and their balls passed through a number of houses. The two shots that were fired from the fort must have done some execution, as a good deal of blood was seen on the shore, and two swords and a pistol were left behind, and their barges were seen to be struck by the artillery from the town."

St. Michael is a flourishing village of *Talbot* county, situate on a river of the same name, four or five miles from the bay, and contains about sixty houses, chiefly tenanted by hardy mechanics, ship-carpenters, blacksmiths, &c. having generally from six to ten vessels on the stocks. To destroy these was probably the object of the enemy. *Easton* is distant from *St. Michael* about 9 miles. The place if taken will be dearly purchased.

Relative to *Baltimore*.—August 14, in sight from *North Point*, 13 ships, 3 brigs and 6 schooners.—From the movements of the enemy this day it was supposed they had been employed in fixing buoys. Aug. 15—thirty-two barges and boats were seen at 20 min. past 5 A. M. in a line between *North Point* and the *Bodkin*, moving towards the fleet as fast as possible. What they had been after is not ascertained; probably they had designed to have attacked our schooners; 19 sail in sight to-day; several of them seen from the observatory. The fort was strongly manned for the night. Aug. 16—As yesterday. Aug. 17—The enemy nearly as yesterday.—This morning, about 3 o'clock the look-out boats of com. *Gordon's* squadron discovered a sail a short distance below *Hawkins' Point*; gave chase, and run her ashore, when she proved to be one of the British cutters, with four deserters from the enemy's sloop of war.

They state, that in preparing to row guard last night, about 8 o'clock, a squall arose, and hammocks piped down, when they took advantage of the darkness of the night, cut the painter and made sail for *Baltimore*.

They inform further, that on Saturday, com. *Gordon's* squadron was seen from the fleet, standing down, and an idea was entertained that it had anchored back of the *Bodkin*. At night, between 30 and 40 barges and smaller boats left the fleet, with a view of attacking the schooners, but on perceiving that their position had been mistaken, they lay by all night, and at day-break returned to the fleet.—According to the account of these deserters, about two thousand soldiers are stationed on *Kent Island*, with eighteen field pieces. On Tuesday night last, a party of about 300 marched up to *Queentown*, and about the same number went in boats, where they landed.

Some skirmishing took place, the result of which they do not know, except that the party returned about day-break to the Island, with the loss, as was said, of two killed and six wounded. The commanding officer had his horse shot under him.—They add that a rumor prevailed of a contemplated attack on *Annapolis* in a few days, and that two or three of the smaller vessels had been sounding the channel, for the purpose it was supposed of determining what sized vessels could lay within gun shot.—*Pat.*

Aug. 18—Nothing new.—But an additional number of troops marched to the fort in the evening; as though an attack was apprehended. Aug. 19, as yesterday. Aug. 20—The same.

It is pleasant to be assured that the mountain men of *Virginia*, stationed at *Norfolk*, enjoy full health. The troops as gen. *Taylor* observes, have "an extraordinary exemption from disease."

By letters from *Tappahannock*, it appears that the

enemy still menaces the shores of the Rappahannock. His force is not stated. He seems very suspicious about putting his foot on the shore, confiding but little in the fidelity of his own men, and thinking that the woods may be filled with rifles.

A small vessel, carrying a few military stores to the eastern shore of Virginia, was captured by the British in the Rappahannock, on the 7th inst. running foul of three barges, just before day. The hands belonging to the vessel made their escape.—There were four passengers, 2 gentlemen and 2 ladies—the former were made prisoners of; but one of them was parolled to escort the ladies, who were treated as women should be, and permitted to proceed to their original destination.

Would it not be proper to ascertain the number of slaves kidnapped by the British. It is stated by deserters, that about 90 were sent off in the Fox, transport, to Halifax.

The Mrs. Barron, mentioned in the following letter, is the widow of com. Samuel Barron, who commanded our squadron in the Mediterranean in 1804 and 5.

Extract of a letter received by Mr. Buller Cocke of Washington city, from Miss Barron, near Hampton.
 Sir—You have no doubt received the account of the attack on Hampton, and the gallant conduct of our little band, consisting of about 200 opposed to near 2000 of the enemy. After the retreat of our people, they took possession of the town and adjacent country; continued a few days, which were marked by the most disgraceful acts—and the purport of this letter is to request the favor of you to procure the money due my aunt Barron, which you will be pleased to remit as soon as possible—for she has been plundered of every thing her house contained, even to cutting open the beds and carrying off the ticks, sparing neither furniture nor provision—having only time to escape, with her little family, as she saw the barges approach the landing.

Interesting Correspondence.

Salem, June 18, 1813.

The hon. Maj. Gen. William King, esq.

Sir—I am directed by the joint committee, consisting of Messrs Blanchard, of Boston, Richardson of North Yarmouth, Emery of Shapleigh, on the part of the house, and the hon. Mr. Stephens and myself on the part of the senate, according to an order of the legislature, to enquire of you, if you hold any military commission under the president of the United States? If so—of what rank? And if not—if you have accepted any and what agency or concern under the U. S. in relation to the distribution of arms? Or enlisting or organizing any soldiers for the service of the United States, or for commissioning officers for that service? And also to know if you if you have received any small arms or other munitions of war?—Or if you have any knowledge of the receipt of such arms or other munitions of war, by any other person or persons, from or by an order of the executive of the U. S.—and for what purpose and to whom such military articles have been delivered?—Your answer to these enquiries is requested.

This commission is accompanied with authority to send for persons and papers; but, in executing the trust, I wish you to be assured, that I am disposed to consult your convenience as much as possible. I presume that a frank and prompt answer from you would probably render any future enquiries unnecessary.

I have the honor to be, sir, your most obedient and humble servant,

SAMUEL PUTNAM,
Chairman of said committee.

GENERAL KING'S ANSWER.

Bath, June 21, 1813.

Sir—Your letter, as chairman of a joint committee of the legislature of Massachusetts, I received this day.

To your first enquiry, whether I hold any military commission under the president of the United States I answer, that I have not the honor of holding any such commission. I am not insensible, however, to the distinction that every American enjoys, who holds, at the present crisis, a commission under an officer, so determined to protect the rights, and support the character of our country, as is the President of the United States.

You require to be informed, "if I have accepted any agency or concern under the United States in relation to the distribution of arms; or enlisting or organizing any soldiers for the service of the United States; or for commissioning officers for that service."—I answer that I have not had any agency or concern in relation to the distribution of arms.—Respecting the arms that have been distributed in this district—the volunteers who made a tender of their services to the president, for the defence of the country and were accepted and organized, have been furnished with arms on application to the proper officers of the general government.

As it respects the organizing of soldiers for the service of the United States, I have much pleasure in stating, that soon after the commencement of the present war, when the services of the detached militia were withheld from the general government, I aided the War Department in organizing such volunteer corps, as was considered necessary for the defence of this district; and the commissions to the officers passed through my hands for that purpose. My services were rendered without any promise of compensation from the government, and without desire or expectation on my part of receiving any remuneration whatever.

As the legislature, no doubt, will be advised of the result of your enquiries, and as I presume you will be much gratified in availing yourself of the present opportunity of doing justice to the patriotism of the citizens of this district, it is with real satisfaction that I make known to you for their information, that after two regiments of volunteers were organized, which was all that was considered necessary for the defence of this district, the services of such a number of other companies were tendered to the president, and not organized, as would have completed three regiments more, had they been wanted.

Having a deep conviction that a war in defence of the personal liberty of our seamen—that class of our fellow citizens who have so recently and so repeatedly proved to their country that they so well deserve it—is just and necessary, I have in conclusion, only to assure you, that as a citizen of the United States I have duties to perform, as well as those of a citizen of this state; and while I shall endeavor not to neglect the latter, the former will most unquestionably claim my attention.

I am, sir, respectfully,
 Your obedient servant,

WILLIAM KING.

HON SAMUEL PUTNAM,
Chairman of a joint committee of the legislature of Massachusetts.

Plaster of Paris.

From the Orange County Patriot.

We understand that a bed of *Gypsum* or *Plaster of Paris*, has recently been discovered on the lands of *Jacob Quick*, esq. in the town of *Montague*, in *Sussex* county, *New-Jersey*. This discovery promises to be of the greatest utility to the surrounding country. The bed, which appears inexhaustible, is found directly on the banks of the *Delaware* river, only 26 miles from this town, and is of the black oxyd of gypsum. Several persons have taken quantities of it away, for the purpose of making trial of its efficacy on land this season—and Mr. Quick being desirous that numerous experiments should be made of its utility, generously raises it from the bed, and allows persons to take it away without charge.—From a conversation we have had from a well informed gentleman, who has visited it and made some chymical experiments on it, we cannot but hope, that this gypsum may hereafter become useful, and supercede, in some measure, the necessity of importing at a vast expence, foreign Plaster of Paris.

THE CHRONICLE.

We have a British "official" account of a great battle fought at *Victoria*, in *Spain*, between *Lord Wellington*, commanding the allies, and the French under *Joseph Bonaparte*, in which it appears the latter were totally defeated, with the loss of their military chest containing 42,000,000 of reals, 151 pieces of brass artillery, (all that the French had but one) 1,973,400 musket ball cartridges, 40,668 lbs. powder, 422 carts, 44 coaches and many waggons, 12000 muskets, 14,000 head of cattle, 2 generals, 500 families, and three thousand prisoners. The French force is stated to have consisted of between 60 and 70 thousand men; their number of killed is not given; the allies lost in killed and wounded, officers and soldiers, 4,710 men, three-fourths of whom were English. The French had fled to *Pamplona*; and it is insinuated that king *Joseph* may be taken prisoner, not being able to make his escape into France. It is probable a great battle has been fought, and the result may be as reported; but it appears singular that all the French artillery (151 pieces) but one piece should be taken, the military chest captured, and such a quantity of other valuables fall into the hands of the allies, with no more than three thousand prisoners, and 12000 muskets. We believe the French have been severely and signally defeated.

A London paper of June 22, says "it is matter of surprise that our ministers should not, even at this date, have received any official account of the armistice."

More good news from Mexico.—We have the 5th Mexican Bulletin, in a letter from gen. *Bernardo*, dated at *St. Fernando*, June 20, which details a glorious victory obtained by the whigs over the Tories under *Elesendo*, who had advanced within a short distance of that capital. The battle lasted but 75 minutes—and the defeat was complete. The force on the side of the whigs consisted of 1000 men, of whom 250 were Americans, and 120 Indians. The royalists were 1600 strong, 600 of whom were regular troops. The battle was commenced by the American riflemen, and the hot pursuit led by their commander, major *Henry Perry* (of Conn.) in the absence of col. *Kemper*. The Tories lost 274 killed, 430 wounded, 67 prisoners, and 2 standards, 2 pieces of cannon (all they had) with a large and very convenient supply of ammunition and military stores some cash, &c. &c. The republicans had 22 killed

and wounded. Accounts dated eight days since the battle state that the whig forces are powerfully recruited, and was about to proceed, 4000 strong, over the river *Grand*.

Cincinnati, July 31.—A new star has made its appearance. It is very luminous, and of the first magnitude. Last night at nine o'clock, its bearing was south 45 degrees east, at the meridian of *Cincinnati*, as nearly as I could judge by my eye. It was in the Zodiac, and near or among the cluster of stars belonging to *Capricornus*. It set this morning about half past four, as nearly as I could guess in my confined horizon. This I publish that the curious and skilful, who are prepared for the purpose, may observe it.

ROBERT STUBBS.

We have already noticed, and repudiated as we ought (in vol. 1.) the tyranny of the French government over the press—the following (as they say on the *Eastern Shore*) is the "cup shew" of all we have seen on the subject:

Hamburg, May 31.—By the decision of his excellency, marshal prince *Eckmuhl*, governor general, it is ordered that every inhabitant of *Hamburg*, do bring without the least delay to the general direction of p. 1 cc:—

Every libel, pamphlet, foreign or not authorised gazette, caricatures, pieces of verse, &c. &c. published or introduced since the 24th of February of the current year. Every individual who shall delay in submitting to this order, or who shall not entirely fulfil it, by retaining any of the objects, the giving up of which is prescribed, shall be prosecuted with rigor.

The Director-General of Police.

D'AUBIGNOSE.

From the Philadelphia Gazette.

The *Perpetual Motion*—I do hereby offer to accept, on demand, any bet or bets, from five thousand to ONE HUNDRED THOUSAND DOLLARS, to the end of proving in a few days, both by mathematical data, and by three separate experiments, to the satisfaction of three enlightened judges, chosen by my opponents, out of the most respectable gentlemen of this city or of *New-York*, that Mr. *Charles Redheffer's* machine is genuine, and that it is indubitably such a perpetual self moving principle, as the one alluded to by sir *Isaac Newton*, in his *Principia Mathematica*, book 1st, section 13th, on the laws of motion.

N. B. This to be valid until the 15th inst. at sun setting.

CHARLES GOBERT.

Civil Engineer, No 157, S. 5th street. And at N-w-York, No. 78 Pearl-street.

Philadelphia, July 12, 1813.

☐ The necessity of concluding the French Exposure, and of inserting some things that, in point of time, properly belong to the volume, has compelled the postponement of several articles that we would rather have inserted at present. The *Appendix* for vol. 4, will accompany the next and last number, and the *Index* be delivered with the succeeding paper, so that the volume may be promptly bound.

ERRATA, in the "*Topography of Ohio*," page 315, which the reader will be pleased to correct.—In page 316, 11th line of the 3rd paragraph, for "east bank" read left bank. After the word "union" in the 8th line from the end of the article, insert and; and delete "is." These latter are important for they materially affect the true meaning of the sentence.

Col. *Richard E. Parker*, of *Westmoreland* county, Vir. is the author of the article relative to the outrages at *Hampton*, signed "P," inserted in page 335, "whose name alone," says the *Richmond Enquirer*, "carries the evidence with it."